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REMARKS

Claims 1-3, 5-13, 15-28, 31 and 32 are pending, with claims 1, 11, 21, 25, 27 and 31 being independent. Reconsideration and allowance of the above-referenced application are respectfully requested.

Claims 1-3, 5-13, 15-28, 31 and 32 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over DoubleVision 3.0 by Tridia in view of Gilbert (US Patent 5,577,254). Claims 9 and 19 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over DoubleVision 3.0 by Tridia in view of Gilbert in further view of Edwards (US Patent 6,594,686). These contentions are respectfully traversed.

No motivation to combine the above references, as suggested in the official action, has been effectively established. With all due respect, the mere statement that it "would have been obvious" to combine the references to result in the claimed invention, as made here, is insufficient to meet the Patent Office's initial burden of establishing a prima facie case. Rather, the Office must identify some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine reference teachings. (See MPEP 706.02(j) and 2142.)

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In addition, even if the proposed combinations could be made, the combined prior art references would still not teach or suggest all the claim limitations. With respect to independent claims 1, 11 and 21, the official action suggests that DoubleVision teaches, "prompting a first user at a UNIX based machine for permission for a second user at a machine remotely located from the UNIX based machine to control the UNIX based machine; and if the first user grants permission, enabling the second user to use the UNIX based machine through the machine remotely located from the UNIX based machine."

A thorough reading of DoubleVision makes clear that no such user prompting is provided. To the contrary, determination of who can attach to a remote terminal in DoubleVision is based entirely on the type of user and a set of predefined permissions, which are granted in advance using access control lists, private-users and private-groups databases, and a ".dvsc file". (See DoubleVision at section 6.6.) The only prompt described in this portion of DoubleVision is the user login prompt provided to the second user; the first user is not prompted in any way for permission for the second user to control the UNIX based machine, as recited in the present claims.

With respect to independent claims 25, 27 and 31, the above arguments regarding DoubleVision are equally applicable. The

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following features of these claims are nowhere described or

suggested in DoubleVision: "inserting a prompt on the new screen

to a user of the UNIX based device to grant permission for a

remote device at a location remote from the UNIX based device to

control the UNIX based device" (claim 25); "adding to the new

screen a text prompt prompting a first user at the UNIX based

machine for permission for a second user at a machine remotely

located from the UNIX based machine to control the UNIX based

machine" (claim 27); "adding a prompt to the virtual console

asking for authorization of the request" (claim 31).

Reconsideration of the contention that prompting a user for

permission is inherently part of the secure access of

DoubleVision is respectfully requested.

Furthermore, claims 31 and 32 include determining whether a

user interface of a UNIX-based machine is operating in a text

mode, and performing operations based on this determination.

The art of record fails to teach or suggest these claims. The

official action fails to address the actual language of claims

31 and 32, which are distinct from the other claims.

The official action acknowledges that DoubleVision fails to

teach replicating current contents as claimed in the independent

claims. The office action seeks to rely on Gilbert for this

aspect of the claimed subject matter.

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Gilbert describes session mirroring in a UNIX system. In particular, Gilbert describes a session mirroring facility utilized in conjunction with the operating system of a host computer 10-2, which captures a user session on a first terminal 10-18 and replicates such on a second terminal 10-18. (See Gilbert at Abstract and col. 2, lines 21-57.) Nowhere does Gilbert either teach or suggest "replicating current contents of a screen on a UNIX based machine onto a new screen running in a background of the UNIX based machine", as in claim 1 (emphasis added). To the contrary, Gilbert describes mirroring session information from a first UNIX machine to a second UNIX machine. (See Gilbert at col. 2, lines 45-51.)

In addition, with respect to independent claims 1, 11, 21 and 27, Gilbert does not describe "a new screen running in a background of the UNIX based machine" or "a new screen running in a background of the first device", as recited in these claims (emphasis added). Moreover, Gilbert does not describe "replicating current contents of a display screen visible to a user on a UNIX based device onto a new screen not visible on the display screen to the user", as recited in independent claim 25 (emphasis added). Nor does Gilbert describe "if the first machine user interface is operating in the text mode, allocating a virtual console running in a background of the first machine, adding a prompt to the virtual console asking for authorization

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of the request, and switching the virtual console to be a currently active console in the first machine", as recited in independent claim 31 (emphasis added). The cited portions of Gilbert say nothing about a new screen or virtual console running "in a background", or about a new screen "not visible on the display screen to the user".

Thus, independent claims 1, 11, 21, 25, 27 and 31 should be in condition for allowance. Dependent claims 2, 3, 5-10, 12, 13, 15-20, 22-24, 26, 28 and 32 are patentable based on the above arguments and the additional recitations they contain. For example, with respect to claims 5, 6, 15 and 16, the art of record fails teach or suggest adding "to the new screen a prompt that asks the first user for the permission", or replacing "the current contents of the screen on the UNIX-based machine with the new screen", as no new screen running in a background is created with replicated contents, as claimed.

In contrast with the cited art, the claimed subject matter can let a user know in real time when a remote user wants to take remote control of the user's terminal, and the user has the ability to allow or prevent the remote control of the user terminal at that point in time. (See the present specification from page 1, line 19 to page 4, line 8.) The art of record fails to teach or suggest the subject matter of the present claims.

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It is respectfully suggested for all of these reasons, that the current rejection is totally overcome; that none of the cited art teaches or suggests the features which are claimed, and therefore that all of these claims should be in condition for allowance. A formal notice of allowance is thus respectfully requested.

Additionally, it is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific issue or comment does not signify agreement with or concession of that issue or comment. Because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper.

Also, please note that the filing date of the present application is December 28, 2000, and not December 29, 2000, as identified in the office action. A copy of the corrected official filing receipt is enclosed for reference.
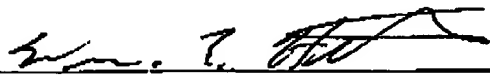
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Respectfully submitted,

Date: July 6, 2005

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